



## AGENDA REPORT

**Meeting Date:** May 18, 2015

**Item Number:** D-9

**To:** Honorable Mayor & City Council

**From:** Laurence S. Wiener, City Attorney

**Subject:** AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING LABOR NEGOTIATIONS

**Attachment:** 1. Ordinance

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### **RECOMMENDATION**

Staff recommends that the City Council move to waive the full reading and adopt the ordinance, entitled "AN ORDINANCE OF THE CITY OF BEVERLY HILLS AMENDING THE BEVERLY HILLS MUNICIPAL CODE REGARDING LABOR NEGOTIATIONS."

### **INTRODUCTION**

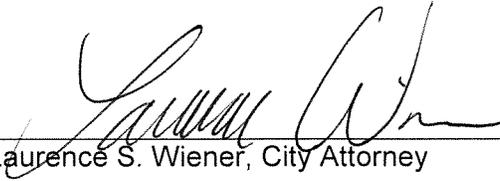
This ordinance amends the Municipal Code regarding the City Council's process for soliciting public input before adopting a memorandum of understanding or amendment with an exclusively recognized employee organization.

### **DISCUSSION**

At its meeting of May 5, 2015, the City Council conducted a first reading and introduced the ordinance.

**FISCAL IMPACT**

There is no fiscal impact associated with the proposed amendments to the Municipal Code. The proposed amendments change the timing, but not the substance, of the City's procedures for soliciting public input.



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Laurence S. Wiener, City Attorney

# **Attachment 1**

**AN ORDINANCE OF THE CITY OF BEVERLY HILLS  
AMENDING THE BEVERLY HILLS MUNICIPAL  
CODE REGARDING LABOR NEGOTIATIONS**

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES HEREBY  
ORDAIN AS FOLLOWS:

Section 1. The city council hereby amends and restates Section 2-5-503 (“ADOPTION OF A MEMORANDUM OF UNDERSTANDING”) of Article 5 (“LABOR NEGOTIATIONS”) of Chapter 5 (“CIVIL SERVICE, PERSONNEL PROCEDURES, AND EMPLOYEE REGULATIONS”) of Title 2 (“ADMINISTRATION, PERSONNEL, AND PROCEDURES”) of the Beverly Hills Municipal Code to read as follows:

“2-5-503: ADOPTION OF A MEMORANDUM OF UNDERSTANDING:

A. The city council may adopt or amend a memorandum of understanding only after conducting two public meetings. The purpose of the first meeting shall be to solicit public input early in the negotiation process concerning potential terms of the proposed memorandum or amendment. The purpose of the second meeting shall be to place a proposed memorandum or amendment on an agenda, after concluding the negotiation process, for the city council to consider adoption. The foregoing requirements shall not preclude the city council from conducting more than one public meeting before or during the negotiation process.

B. A proposed memorandum of understanding or amendment to a memorandum of understanding, as well as any fiscal impacts analysis prepared pursuant to section 2-5-505 of this chapter, shall be posted on the city’s official website at least two (2) weeks before the city council meeting at which the proposed memorandum of understanding or amendment is considered for approval.

C. The adoption or amendment of a proposed memorandum of understanding shall not be placed on the city council’s consent calendar.”

Section 2. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 3. Publication. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the city within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and the city Clerk’s certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this city.

Section 4. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

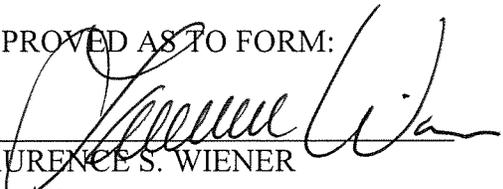
Adopted:  
Effective:

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JULIAN A. GOLD, M.D.  
Mayor of the City of Beverly Hills,  
California

ATTEST:

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(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

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MAHDI ALUZRI  
Interim City Manager